REMARKS

This application has been reviewed in light of the Final Office Action dated September 8, 2006. Claims 1-26 and 28-53 are pending, with Claims 1, 52, and 53 in independent form. No changes to the claims have been made by this Response. Favorable reconsideration is requested.

As an initial matter, Applicants acknowledge and appreciate the Examiner's indication that domestic priority to U.S. Provisional Patent Application 60/416,494, filed October 4, 2002 for the claims of the present application has been granted.

The Office Action reiterates its rejections of all of the pending claims under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,337,700 (Kinoe et al.) in view of U.S. Patent No. 5,276,786 (Long et al.) and at times in view of U.S. Patent No. 4,958,146 (Priem et al.) or other references. Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1 requires a computer-implemented method for highlighting a selected object on a display. The method includes rasterizing base graphic data to provide a base graphic raster. The base graphic raster includes at least one graphic object including a selected graphic object to be highlighted. The method also includes providing selection graphic data including a graphic object corresponding to the selected graphic object. In addition, the method includes rasterizing the selection graphic data to yield a selection graphic raster, and compositing the base graphic raster and the selection graphic raster to yield an output graphic raster for display.

I. Construction of Claim 1

Notable features of Claim 1 include the rasterizing of base graphic data, the providing of selection graphic data including a graphic object corresponding to a selected graphic object in the base graphic data, and rasterizing the selection graphic data. For purposes of clarity, Applicants will refer to these features herein as 'rasterizing base graphic data and, separately, rasterizing selection graphic data.' Applicants submit that this short-hand characterization is consistent with the claim language because Claim 1 requires that the selection graphic data include a graphic object corresponding to the selected graphic object. If, as required by Claim 1, the base graphic data is rasterized, and the selection

graphic data is 'provided' and then 'rasterized', the selection graphic data must have been provided in a non-rasterized form and then rasterized. Accordingly, the selection graphic data is rasterized separately from the base graphic data. To construe otherwise would be to have Claim 1 require the rasterizing of already-rasterized selection graphic data, a construction inconsistent with the specification. See paragraph [0023] of the specification.

II. Long et al. Patent in Regard to Rasterization Features of Claim 1

With this construction of Claim 1 in mind, the Office Action at page 3, last paragraph, is understood to refer to the Long et al. Patent as allegedly disclosing separate rasterizations of base graphic data and selection graphic data. The Office Action at the bottom of page 7 and continuing onto the top of page 8, makes further arguments in this regard. In particular, the Office Action at the last paragraph on page 7 states that "Long clearly teaches that different graphic elements are processed separately. As noted in the last action, Long clearly teaches that selected graphics data is rasterized and stored in a second data store 25 (FIG. 1, 4:53–60). The data is prima facie rasterized, since it initially constitutes only a copy of the relevant portions of the selected graphics."

If Applicants understand the position taken in the Office Action correctly, it is arguing that so long as the data in the first data store of the Long et al. Patent is in rasterized form, then the copying of a region of the already-rasterized first data store meets the claim requirement of rasterizing selection graphic data. However, Applicants submit that the mere copying of already-rasterized data is not a rasterization of the copied data. Claim 1 does not merely require rasterizing selection graphic data, it requires providing selection graphic data including a graphic object corresponding to the selected graphic object [in the base graphic data] and rasterizing the selection graphic data. Accordingly, Applicants respectfully submit that copying of a region of already-rasterized data does not meet Claim 1's requirements of rasterizing base graphic data, providing selection graphic data including a graphic object corresponding to the selected graphic object [in the base graphic data], and rasterizing the selection graphic data. For at least these reasons, these features are not believed to be taught or suggested by the Long et al. Patent.

If Applicants' understanding of the Office Action set forth in the previous paragraph is incorrect, Applicants respectfully request an indication of how copying a region of one data store to another data store teaches or suggests rasterizing base graphic data, providing selection graphic data including a graphic object corresponding to a selected graphic object in the base graphic data, and rasterizing the selection graphic data, according to Claim 1. For example, if the Office Action is not arguing that the data in the first data store of the Long et al. Patent is rasterized, when is it rasterized, and when is the selected region of the first data store separately provided and rasterized according to Claim 1?

If other references are used in combination with the Long et al. Patent to teach or suggest these features, Applicants respectfully request a specific indication of which passages of which references are relied-upon. For example, the Office Action states, beginning at the bottom of page 3, "The fact that Long could hold any kind of data, raster or otherwise, is duly noted. Therefore, a PHOSITA would look to the primary reference for a definition of the kind of data [that] would be held in such buffers."

III. Kinoe et al. Patent in Regard to Rasterization Features of Claim 1

To continue the last sentence in the previous paragraph, the Kinoe et al. Patent is the primary reference in this case. See the middle-top of page 9 of the Office Action. Accordingly, if the Long et al. Patent does not teach or suggest rasterizing base graphic data and, separately, rasterizing selection graphic data, then the Kinoe Patent must teach these features in order to support the 35 USC 103(a) rejection (assuming the combination is permissible). In this regard, the Kinoe Patent teaches, as understood by Applicants, a three-dimensional object-based CAD system. However, the Kinoe Patent appears to be silent regarding rasterization entirely. Accordingly, Applicants respectfully submit that the Kinoe Patent also does not teach or suggest rasterizing base graphic data and, separately, rasterizing selection graphic data, according to Claim 1.

Since the Kinoe et al. Patent and the Long et al. Patent are respectfully submitted not to teach or suggest rasterizing base graphic data and, separately, rasterizing selection graphic data, Applicants respectfully submit that Claim 1 is patentable over these references, taken separately or in any proper

combination for at least these reasons.

The Priem Patent is not cited by the Office Action as teaching the features described above in connection with Claim 1.

IV. Motivation to Modify the Teachings of the Kinoe et al. Patent by the Teachings of the Long et al. Patent

In addition to the above, Applicants also respectfully submit that a motivation to combine the Long et al. Patent with the Kinoe et al. Patent has not been sufficiently established. In particular, Applicants respectfully submit that the Office Action has not established how a 3-dimensional, object-based CAD system that highlights particular objects in a 3-dimensional design would be modified by the 2-dimensional image-segment processing technique of the Long et al. Patent. Applicants respectfully submit that it is not obvious, based upon the teaches in the Long et al. Patent or the Kinoe et al. Patent, how PHOSITA would use a 2-dimensional image-region based processing technique according to the Long et al. Patent to process the 3-dimensional objects according to the Kinoe et al. Patent. Further, the Long et al. Patent is not understood to pertain to image object manipulation, but, on the contrary, is understood to pertain to selecting an image region (not an object, like the Kinoe et al. Patent) in a first data store and copying it to a second data store. See col. 5, lines 45-47 of the Long et al. Patent. For at least these reasons, Applicants respectfully submit that the Office Action has not established its prima facia case of obviousness for combining the Kinoe patent and the Long patent.
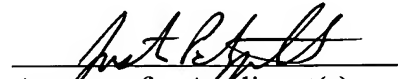
V. Conclusion

Independent Claims 52 and 53 include the same or similar features to those described above in connection with Claim 1 and are believed to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Response After Final Action is believed to place this application in condition for allowance, and, therefore, its entry is believed proper under 37 CFR §1.116. Accordingly, entry of this response after Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is

respectfully requested. Should that the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned Attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.